

**REMARKS**

Applicant thanks the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119, and receipt of certified copies of the priority documents.

**Allowable Subject Matter**

Applicant thanks the Examiner for the indication that claims 1-7 have been allowed.

The Examiner has also indicated that claims 10-12 and 14 contain allowable subject matter and would be allowable if rewritten in independent form including all the limitations of the base claims and any intervening claims. Claim 10 has been rewritten in independent form to incorporate the limitations of original claim 8, and claim 14 has been rewritten in independent form to incorporate the limitations of original claim 8 and claim 13. Since claims 11 and 12 depend from claim 10 they will also incorporate the limitations of original claim 8. As indicated by the Examiner, rewritten claims 10 and 14, and dependent claims 11 and 12 are patentable over the prior art.

**Claim Rejections**

Claims 8 and 9 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Sethuram et al., U.S. 6,058,114 ("Sethuram"). Applicant traverses these rejections.

Sethuram does not disclose at least categorizing a cell according to the traffic type of an input cell, and managing input/output of the cell by counting the input cell and the output cell, as recited in amended claim 8.

Sethuram evaluates maturation time and expiration time for given ATM cell entries in a Virtual Channel time table in order to queue the next ATM cell for transmission (col. 12, ll. 15-22). Sethuram therefore categorizes ATM cells based on two time values, i.e., the maturation time and the expiration time, as opposed to categorizing a cell according to the traffic type of an input cell, and managing input/output of the cell by counting the input cell and the output cell. Therefore, claim 8 is patentable over Sethuram. Claim 9 is patentable over Sethuram at least by virtue of its dependency.

Claim 13 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sethuram in view of Stacey et al., U.S. 6,834,053 (“Stacey”). Applicant traverses this rejection.

The combination of Sethuram and Stacey does not disclose or suggest at least categorizing a cell according to the traffic type of an input cell, and managing input/output of the cell by counting the input cell and the output cell. As noted above, Sethuram does not disclose at least these limitations of independent claim 8 from which claim 13 depends. Stacey does not cure the deficiencies of Sethuram. Stacey discloses a packet scheduler and a queue that can grow to a user-definable upper bound, wherein the packet scheduler temporarily halts scheduling if the upper bound is exceeded (col. 17, ll. 15-28).

Even if one skilled in the art at the time of the invention had been motivated to combine the references, the combination does not disclose or suggest all the elements recited in claim 13. Therefore, claim 13 is patentable over the combination of Sethuram and Stacey.

**Conclusion**

In view of the above, claims 1-14, which are all the claims pending in the application, are in condition for allowance. Reconsideration and allowance of this application are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

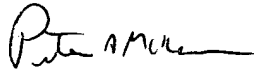
Respectfully submitted,

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